APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,882	10/26/2000	William A. Wandersleven	11636-002001	3702

26211   7590   03/25/2003

FISH & RICHARDSON P.C.
45 ROCKEFELLER PLAZA, SUITE 2800
NEW YORK, NY 10111

EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Peri d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _26 October 2000_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they

do not include the following reference sign(s) mentioned in the description: cursor 18 of fig. 5A.

A proposed drawing correction or corrected drawings are required in reply to the Office action to

avoid abandonment of the application. The objection to the drawings will not be held in

abeyance.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-6, 8-18 and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by

Watson et al. ("Watson", US 5,912,666).

As per claim 12, Watson teaches a computer program residing on a computer-readable

medium, comprising instructions for causing a computer to:

display a workspace on a computer screen, the workspace having at least one toolbar

including a plurality of icons that each represents a tool wherein a non-modal dialog box is

displayed when an icon is chosen (fig. 8; *workspace with toolbar 830 comprising a plurality of*

tool icons and a non-modal dialog box associated with an icon); and

hide or shrink the non-modal dialog box when an icon is chosen when a preferences

option is enabled and a cursor is moved outside the boundaries of the non-modal dialog box

wherein the non-modal dialog box is restored when a restore action occurs (fig. 8; col.8, line 31;

consistent with the definition of pull-down menus is its ability to remain available as long as a

user holds it open).

As per claim 13, Watson teaches a computer program residing on a computer-readable

medium to include instruction to permit a user to disable and enable the preference option (col.

11, lines 43-44).

As per claims 14 and 15, Watson teaches a computer program residing on a computer-

readable medium wherein the restore action comprises moving the cursor over a predetermined

hot-spot on the workspace and the hot-spot includes at least one of a tool icon and a preference

option icon (figs. 8 and 13; col. 11, lines 11-12).

As per claim 16, Watson teaches a computer program residing on a computer-readable

medium wherein at least one hot-spot can be moved to a location anywhere on the workspace

(col. 9, lines 57-62).

As per claim 17, Watson teaches a computer program residing on a computer-readable

medium wherein the restore action is entry of a key combination (fig. 4; col. 9, lines 41-43).

As per claim 18, Watson teaches a computer program residing on a computer-readable medium wherein the cursor is centered on the restored dialog box (col. 1, lines 48-49; *wherein centering is inherent in order for users to move cursors across applications and across partitions*).

As per claim 20, Watson teaches a computer program residing on a computer-readable medium comprising instructions enabling a user to customize the preference option (col. 9, lines 52-56).

As per claim 21, Watson teaches a computer program residing on a computer-readable medium wherein a preference option properties dialog box including at least one customizable feature is provided (col. 9, lines 58-60).

As per claim 22, Watson teaches a computer program residing on a computer-readable medium wherein the customizable features include at least one of a choice of a choice of a large or small preference option box, a choice of automatically positioning a tool settings dialog, a new tool delay time, and a hide dialog delay time (fig. 8; col. 9, lines 62-63; *customizable features such as a choice of a large or small preference option box such as depicted in top right corner of 830*).

Claim 1 is similar in scope to claim 12 and is therefore rejected under similar rationale.

Claims 2 and 3 are individually similar in scope to individual claims 14 and 15 respectively and are therefore rejected under similar rationale.

Claim 4 is similar in scope to claim 16 and is therefore rejected under similar rationale.

Claim 5 is similar in scope to claim 17 and is therefore rejected under similar rationale.

Claim 6 is similar in scope to claim 18 and is therefore rejected under similar rationale.

Claim 8 is similar in scope to claim 13 and is therefore rejected under similar rationale.

Claim 9 is similar in scope to claim 20 and is therefore rejected under similar rationale.

Claim 10 is similar in scope to claim 21 and is therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 22 and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watson

et al. ("Watson", US 5,912,666) in view of Screen Dumps of Microsoft Word 2000 ("Ms

Word").

As per claim 19, Watson teaches a computer program residing on a computer-readable

medium wherein the restore action is entry of a key combination (fig. 4; col. 9, lines 41-43).

Watson does not explicitly disclose repeating the key combination to hide or shrink the dialog

box. MS Word teaches a computer program residing on a computer-readable medium wherein

the restore action is entry of a key combination and repeating the key combination shrinks the

dialog box (figs. 2-5). Therefore, it would have been obvious to include MS Word's teaching of

repeating a key combination to shrink a dialog box to Watson's teaching of a restore action

comprising entry of a key combination in order to allow users control of a computer action

without having to remember additional commands.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnston (US 5,546,528) teaches a method of displaying multiple sets of information in the same area of a computer screen.

Marcos et al. (US 6,384,849) teach a method for displaying controls in a system using a graphical user interface.

Ross (US 6,266,060 B1) teaches menu management mechanism that displays menu items based on multiple heuristic factors.

Alimpick et al. (US 6,232,968 B1) teach a data processor controlled display system with a plurality of switchable customized basic function interfaces for the control of varying types of operations.

Meisner et al. (US 6,313,824 B1) teach an image preview system.

Khan et al. (US 6,157,934) teach a method and apparatus for using distributed spreadsheets in a client/server architecture for workflow automation.

Aourane (US 6,058,368) teaches a reliability growth tool.

Goldstein (US 5,812,132) teaches a windowed computer display.

Beaton et al. (US 6,340,979) teach a contextual gesture interface.

Gentile (US 5,504,842) teaches a method and apparatus for processing data for a visual-output device with reduced buffer memory requirements.

Ubillos (US 5,999,173) teaches a method and apparatus for video editing with video clip representations displayed along a time line.

Scott et al. (US 5,675,752) teach an interactive applications generator for an interactive

presentation environment.

Tamura et al. (US 6,144,765) teach a figure processing method.

Inquires

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lê Nguyen whose telephone number is **(703) 305-7601**. The

examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are

as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen
Patent Examiner
March 17, 2003

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100